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Application Serial No. 10/805,618 Information Disclosure Statement

Customer No. 01933

JUN 2 8 2007

OFFICE OF PETITIONS

Attorney Docket No. 04149/LH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Tooru HISHIYAMA, et al

Serial No. : 10/805,618

Confirm. No.: 2133

Filed

: March 18, 2004

For

: CRUSHING CONTROL APPARATUS

FOR SHEARING CRUSHER

Art Unit

: 3725

Examiner

: Faye Francis

INFORMATION DISCLOSURE STATEMENT WITH STATEMENT UNDER 37 C.F.R. 1.97(e)

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

Submitted herewith are the following:

- Copy of a Japanese Office Action dated June 20, 2007 (1) issued in a counterpart Japanese Patent Application;
- Copies of cited references; and (2)
- (3) IDS Form.

A full English language translation and a commerciallyavailable English Abstract of JP 2002-219379 are submitted herewith.

CERTIFICATE OF FACSIMILE TRANSMISSION

TO NO. 1-571-273-0025

TOTAL PAGES:-50

I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date noted below.

Dated: June 28, 2007

Sharon Portnoy

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by credit card payment, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

Application Serial No. 10/805,618 Information Disclosure Statement Customer No. 01933

USP 5,765,765, also cited in this IDS, is the U.S. counterpart of JP 8-047651.

## RE: PRIOR IDS FILED MAY 21, 2007:

It is respectfully requested that the Examiner fully consider the Information Disclosure Statement filed May 21, 2007 during prosecution of the present RCE.

## STATEMENT UNDER 37 CFR 1.97(e)(1)

Each item of information contained in this Information Disclosure Statement was first cited in any communication from foreign patent offices in counterpart foreign applications not more than three months prior to the filing of the present Information Disclosure Statement. Said Communication bears a mailing date of <u>June 20, 2007</u>.

It is respectfully requested that an initialed copy of the IDS Form submitted herewith, and an initialed copy of the IDS Form submitted May 21, 2007, be returned to confirm that all of the documents listed therein have been considered and made of record.

Respectfully\_submitted,

Leonard Holtz, Esq. Reg. No. 27,974

Encls.

Dated: June 28, 2007

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	JP	JP 8-047651			Α	KOMATSU LTD.		02-20-1996			
	JP 2002-219379				Α	HITACHI CONSTRUCTION MACHINERY CO., LTD.		08-06-2002		×	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

DATE MAILED: June 28, 2007

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that Issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the Indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as Indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Place a check here if English translation is attached.

:81-4NO. 5623.282P. 9 # 47/ 50

JP Office Action

Mailing Date: June 20, 2007